

Customs Bulletin

Regulations, Rulings, Decisions, and Notices
concerning Customs and related matters



and Decisions

of the United States Court of Customs and
Patent Appeals and the United States
Court of International Trade

Vol. 16

JULY 28, 1982

No. 30

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THE DEPARTMENT OF THE TREASURY
U.S. Customs Service

NOTICE

The abstracts, rulings, and notices which are issued weekly by the U.S. Customs Service are subject to correction for typographical or other printing errors. Users may notify the U.S. Customs Service, Logistics Management Division, Washington, D.C. 20229, of any such errors in order that corrections may be made before the bound volumes are published.

U.S. Customs Service

Treasury Decisions

(T.D. 82-122)

Foreign Currencies—Daily Rates For Countries Not on Quarterly List

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 USC 372(c)), has certified buying rates for the dates and foreign currencies shown below. The rates of exchange, based on these buying rates, are published for the information and use of Customs officers and others concerned pursuant to Part 159, Subpart C, Customs Regulations (19 CFR 159, Subpart C).

(5/31/82, Holiday, Countries Take 5/28/82)

Argentina peso:

June 1, 1982	\$0.000069
June 2, 1982 .....	.000068
June 3, 1982 .....	.000069
June 4, 1982 .....	.000068

Chile peso:

June 1, 1982	0.025446
June 2-4, 1982025445

Colombia peso:

June 1-4, 1982	0.016000
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Greece drachma:

June 1, 1982	0.015397
June 2, 1982015255
June 3, 1982015408
June 4, 1982015456

Indonesia rupiah:

June 1, 1982	0.001528
June 2, 1982 .....	.001527
June 3-4, 1982 .....	.001528

Israel shekel:

June 1, 1982	0.045290
June 2, 1982 .....	.045289
June 3, 1982 .....	.044823
June 4, 1982 .....	.044964

Peru sol:

June 1, 1982	\$0.001559
June 2, 1982 .....	.001558
June 3, 1982 .....	.001559
June 4, 1982 .....	.001544

South Korea won:

June 1, 1982	0.001367
June 2, 1982 .....	.001361
June 3, 1982 .....	.001361
June 4, 1982 .....	.001359

(LIQ-03-01 S:C)

Dated: June 4, 1982.

ANGELA DEGAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-123)

Foreign Currencies—Daily Rates for Countries Not on Quarterly List

The Federal Reserve Bank of New York pursuant to section 522(c), Tariff Act of 1930, as amended (31 USC 372 (c)), has certified buying rates for the dates and foreign currencies shown below. The rates of exchange, based on these buying rates, are published for the information and use of Customs officers and others concerned pursuant to Part 159, Subpart C, Customs Regulations (19 CFR 159, Subpart C).

Argentina peso:

June 7-10, 1982	\$0.000068
June 11, 1982 .....	.000066

Chile peso:

June 7-8, 1982	0.025445
June 9, 1982 .....	.029449
June 10-11, 1982 .....	.025445

Colombia peso:

June 7, 1982	0.016000
June 8-10, 1982 .....	.015848
June 11, 1982 .....	.015736

Greece drachma:

June 7, 1982	0.015267
June 8, 1982 .....	.015221
June 9, 1982 .....	.015015
June 10, 1982 .....	.015060
June 11, 1982 .....	.015209

Indonesia rupiah:		
June 7-10, 1982	\$0.001528	
June 11, 1982 .....	.001526	
Israel shekel:		
June 7, 1982	0.44783	
June 8, 1982 .....	.044663	
June 9, 1982 .....	.044504	
June 10, 1982 .....	.044326	
June 11, 1982 .....	.044209	
Peru sol:		
June 7-10, 1982	0.001544	
June 11, 1982 .....	.001525	
South Korea won:		
June 7, 1982	0.001359	
June 8-10, 1982 .....	.001357	
June 11, 1982 .....	.001354	

(LIQ-03-01 S:C)

Dated: June 11, 1982.

ANGELA DEGAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-124)

Foreign Currencies—Daily Rates for Countries Not on Quarterly List

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 USC 372 (c)), has certified buying rates for the dates and foreign currencies shown below. The rates of exchange, based on these buying rates, are published for the information and use of Customs officers and others concerned pursuant to Part 159, Subpart C, Customs Regulations (19 CFR 159, Subpart C).

Argentina peso:		
June 14-17, 1982	\$0.000066	
June 18, 1982 .....	.000065	
Chile peso:		
June 14, 1982	0.025445	
June 15-18, 1982 .....	.021505	
Colombia peso:		
June 14-17, 1982	0.015736	
June 18, 1982 .....	.015711	
Greece drachma:		
June 14, 1982	0.014706	

June 15, 1982	\$.014652
June 16, 1982 .....	.014609
June 17, 1982 .....	.014514
June 18, 1982 .....	.014461
Indonesia rupiah:	
June 14-18, 1982	0.001526
Israel shekel:	
June 14, 1982	0.43745
June 15, 1982 .....	.043328
June 16, 1982 .....	.042974
June 17, 1982 .....	.042481
June 18, 1982 .....	.042481
Peru sol:	
June 14-17, 1982	0.001525
June 18, 1982 .....	.001512
South Korea won:	
June 14-16, 1982	0.001354
June 17-18, 1982 .....	.001352

(LIQ-03-01 S:C)

Dated: June 18, 1982.

ANGELA DEGAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-125)

Foreign Currencies—Daily Rates for Countries Not on Quarterly List

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 USC 372(c)), has certified buying rates for the dates and foreign currencies shown below. The rates of exchange, based on these buying rates, are published for the information and use of Customs officers and others concerned pursuant to Part 159, Subpart C, Customs Regulations (19 CFR 159, Subpart C).

Argentina peso:	
June 21-25, 1982	\$ 0.000065
Chile peso:	
June 21-24, 1982	0.021505
June 25, 1982 .....	.021142
Colombia peso:	
June 21-24, 1982	0.015711
June 25, 1982 .....	.015674

Greece drachma:

June 21, 1982	\$0.014255
June 22, 1982 .....	.014409
June 23, 1982 .....	.014286
June 24, 1982014388
June 25, 1982014225

Indonesia rupiah:

June 21-25, 1982	0.001526
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Israel shekel:

June 21-22, 1982	0.041894
June 23-25, 1982041563

Peru sol:

June 21-24, 1982	0.001512
June 25, 1982 .....	.001490

South Korea won:

June 21-24, 1982	0.001351
June 25, 1982 .....	.001349

(LIQ-03-01 S:C)

Dated: June 25, 1982.

ANGELA DEGAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-126)

Foreign Currencies—Daily Rates for Countries Not on Quarterly
List

The Federal Reserve Bank of New York, pursuant to section 522(c), Tariff Act of 1930, as amended (31 USC 372(c)), has certified buying rates for the dates and foreign currencies shown below. The rates of exchange, based on these buying rates, are published for the information and use of Customs Officers and others concerned pursuant to Part 159, Subpart C, Customs Regulations (19 CFR 159, Subpart C).

Argentina peso:

June 28-30, 1982	\$0.000065
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Chile peso:

June 28-30, 1982	0.021142
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Colombia peso:

June 28-29, 1982	0.015674
June 30, 1982029586

Greece drachma:

June 28, 1982	0.014245
June 29, 1982 .....	.014337
June 30, 1982 .....	.014409

Indonesia rupiah:	
June 28-29, 1982	\$0.001526
Israel shekel:	
June 28, 1982	0.041356
June 29-30, 1982 .....	.041271
Peru sol:	
June 28-30, 1982	0.00149
South Korea won:	
June 28-30, 1982	0.001349

(LIQ-03-01 S:C)

Dated: June 30, 1982.

ANGELA DEGAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-127)

Foreign Currencies—Variances From Quarterly Rate

The following rates of exchange are based upon rates certified to the Secretary of the Treasury by the Federal Reserve Bank of New York, pursuant to Section 522(C), Tariff Act of 1930, as amended (31 USC 372(c)), and reflect variances of 5 per centum or more from the quarterly rate published in Treasury Decision 82-82 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following rates.

(5/31/82, Holiday, Countries Take 5/28/82)

Brazil cruzeiro:	
June 1, 1982	\$0.006092
June 2-4, 1982 .....	.006091

(LIQ-03-01 S:C)

Dated: June 4, 1982.

ANGELA DEGAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-128)

Foreign Currencies—Variances From Quarterly Rate

The following rates of exchange are based upon rates certified to the Secretary of the Treasury by the Federal Reserve Bank of New York, pursuant to Section 522(C), Tariff Act of 1930, as amended (31 USC 372(c)), and reflect variances of 5 per centum or more from the quarterly rate published in Treasury Decision 82-82 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following rates.

Brazil cruzeiro:

June 7, 1982	\$0.006091
June 8-11, 1982 .....	.005987

Switzerland franc:

June 8, 1982	0.488998
June 9, 1982 .....	.486145
June 10, 1982 .....	.484731
June 11, 1982 .....	.488043

(LIQ-08-01 S:C)

Dated: June 11, 1982.

ANGELA DEGAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-129)

Foreign Currencies—Variances From Quarterly Rate

The following rates of exchange are based upon rates certified to the Secretary of the Treasury by the Federal Reserve Bank of New York, pursuant to Section 522(C), Tariff Act of 1930, as amended (31 USC 372(c)), and reflect variances of 5 per centum or more from the quarterly rate published in Treasury Decision 82-82 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following rates.

Brazil cruzeiro:

June 14-16, 1982	\$0.005987
June 17-18, 1982005885

Canada dollar:

June 18, 1982	0.772798
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France franc:

June 14, 1982	\$0.148965
June 15, 1982148743
June 16, 1982148258
June 17, 1982147558
June 18, 1982 .....	.146520

Portugal escudo:

June 16, 1982	0.012121
June 17, 1982 .....	.012048
June 18, 1982 .....	.012005

South Africa rand:

June 15, 1982	0.8952
June 16, 1982 .....	.89400
June 17, 1982 .....	.889500
June 18, 1982 .....	.88800

Switzerland franc:

June 14, 1982	0.482742
June 15, 1982 .....	.481464
June 16, 1982 .....	.477213
June 17, 1982 .....	.472701
June 18, 1982 .....	.470367

(LIQ-3-01 S:C)

Dated: June 18, 1982.

ANGELA DEGAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-130)

Foreign Currencies—Variances From Quarterly Rate

The following rates of exchange are based upon rates certified to the Secretary of the Treasury by the Federal Reserve Bank of New York, pursuant to Section 522(C), Tariff Act of 1930, as amended (31 USC 372(c)), and reflect variances of 5 per centum or more from the quarterly rate published in Treasury Decision 82-82 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following rates.

Brazil cruzeiro:

June 21-25, 1982	\$0.005885
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Canada dollar:

June 21, 1982	0.769112
June 22, 1982770357
June 23, 1982769823

France franc:		
June 21, 1982	\$0.145613	
June 22, 1982 .....	.146789	
June 23, 1982 .....	.145455	
June 24, 1982 .....	.145879	
June 25, 1982 .....	.145033	
Italy lira:		
June 21, 1982	0.000716	
June 23, 1982 .....	.000716	
June 24, 1982 .....	.000718	
June 25, 1982 .....	.000713	
Portugal escudo:		
June 21, 1982	0.011869	
June 22, 1982 .....	.011919	
June 23, 1982 .....	.011905	
June 24, 1982 .....	.011962	
June 25, 1982 .....	.011820	
South Africa rand:		
June 21, 1982	0.8758	
June 22, 1982 .....	.8767	
June 23, 1982 .....	.8725	
June 24, 1982 .....	.8770	
June 25, 1982 .....	.8725	
Switzerland franc:		
June 21, 1982	0.469704	
June 22, 1982 .....	.478698	
June 23, 1982 .....	.472701	
June 24, 1982 .....	.475511	
June 25, 1982 .....	.470367	
Mexico peso:		
June 25, 1982	0.020777	

(LIQ-03-01 S:C)

Dated: June 25, 1982.

ANGELA DEGAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-131)

Foreign Currencies—Variances From Quarterly Rate

The following rates of exchange are based upon rates certified to the Secretary of the Treasury by the Federal Reserve Bank of New York, pursuant to Section 522(C), Tariff Act of 1930, as amended

(31 USC 372(c)), and reflect variances of 5 per centum or more from the quarterly rate published in Treasury Decision 82-82 for the following countries. Therefore, as to entries covering merchandise exported on the dates listed, whenever it is necessary for Customs purposes to convert such currency into currency of the United States, conversion shall be at the following rates.

Brazil cruzeiro:		
June 28-30, 1982		\$0.005885
Canada dollar:		
June 28, 1982		0.770179
June 29, 1982 .....		.769527
June 30, 1982 .....		.773455
France franc:		
June 28, 1982		0.144624
June 29, 1982 .....		.146092
June 30, 1982 .....		.146413
Italy lira:		
June 28, 1982		0.000714
Mexico peso:		
June 28, 1982		0.020807
June 29, 1982 .....		.020871
June 30, 1982 .....		.020799
Portugal escudo:		
June 28, 1982		0.011799
June 29, 1982 .....		.011820
June 30, 1982 .....		.011919
South Africa rand:		
June 28, 1982		0.868500
June 29, 1982 .....		.871500
June 30, 1982 .....		.876400
Switzerland franc:		
June 28, 1982		0.468055
June 29, 1982 .....		.474608
June 30, 1982 .....		.476304

(LIQ-08-01 S:C)

Dated: June 30, 1982.

ANGELA DEGAETANO,
Chief,
Customs Information Exchange.

(T.D. 82-132)

Bonds

Approval and discontinuance of consolidated aircraft bonds (air carrier blanket bonds), Customs Form 7605.

The following consolidated aircraft bonds have been approved or discontinued as shown below. The symbol "D" indicates that the bond previously outstanding has been discontinued on the month, day, and year represented by the figures which follow. "PB" refers to a previous bond, dated as represented by the figures in parentheses immediately following, which has been discontinued. If the previous bond was in the name of a different company or if the surety was different, the information is shown in a footnote at the end of the list.

Dated: July 13, 1982.

Name of principal and surety	Date term commences	Date of approval	Filed with district director/area director/amount
DHL Airways, Inc., 1818 Gilbreth Rd., Burlingame, CA; Ins. Co. of North America	July 1, 1982	July 6, 1982	Chicago, Ill. \$100,000

The foregoing principal has been designated as a carrier of bonded merchandise.

BON-3-01

GEORGE C. STEUART
(For Marilyn G. Morrison, Director,
Carriers, Drawback & Bonds Division).

U.S. Customs Service

General Notice

(067570)

Receipt of Domestic Interested Party Petition Concerning Classification of Chinaware

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Notice of extension of time for comment.

SUMMARY: This notice extends the period of time within which interested members of the public may submit written comments with respect to a notice of receipt of a domestic interested party petition concerning the classification of certain chinaware. A document inviting the public to comment on the petition was published in the Federal Register on May 18, 1982 (47 FR 20719). Comments were to have been received on or before July 12, 1982. A request has been received to extend the period for the submission of comments claiming that additional time is needed to submit thorough comments on the classification issue. Customs believes that the request has merit. Accordingly, the period of time for the submission of written comments is extended to August 13, 1982.

DATES: Comments must be received on or before August 13, 1982.

ADDRESS: Written comments (preferably in triplicate) may be addressed to the Commissioner of Customs, Attention: Regulations Control Branch, U.S. Customs Service, 1301 Constitution Avenue, NW., Room 2426, Washington, D.C. 20229.

FOR FURTHER INFORMATION CONTACT: Thomas J. Lindmeier, Classification and Value Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229 (202-566-5727).

Dated: July 12, 1982.

JOHN P. SIMPSON,
Director, Office of Regulations and Rulings.

[Published in the Federal Register, July 15, 1982 (47 FR 30911)]

United States Court of International Trade

One Federal Plaza

New York, N.Y. 10007

Chief Judge

EDWARD D. RE

Judges

Paul P. Rao
Morgan Ford
Frederick Landis
James L. Watson

Herbert N. Maletz
Bernard Newman
Nils A. Boe

Senior Judge

Samuel M. Rosenstein

Clerk

Joseph E. Lombardi

Decisions of the United States Court of International Trade

(Slip Op. 82-50)

BROTHER INDUSTRIES, LTD., and BROTHER INTERNATIONAL CORPORATION, PLAINTIFFS *v.* ACTION I UNITED STATES, DEFENDANT, SMITH-CORONA GROUP, CONSUMER PRODUCTS DIVISION, SCM CORPORATION, PARTY-IN-INTEREST; SMITH-CORONA GROUP, CONSUMER PRODUCTS DIVISIONS, SCM CORPORATION, PLAINTIFF *v.* ACTION II UNITED STATES, DEFENDANT, BROTHER INDUSTRIES, LTD., and BROTHER INTERNATIONAL CORPORATION; SILVER SEIKO LTD., and SILVER REED AMERICA, INC., PARTIES-IN-INTEREST

Before: BERNARD NEWMAN, Judge

Consolidated Court No. 80-9-01436

MEMORANDUM AND ORDER

[SCM's motion to restore preliminary injunction pending appeal granted]

(Dated: June 28, 1982)

Tanaka Walders & Ritger, Esqs. (H. William Tanaka, Lawrence Walders, Donald L. E. Ritger and Wesley K. Caine, Esqs., of counsel) for Brother Industries, Ltd. and Brother International Corporation.

Eugene L. Stewart and Terence P. Stewart, Esqs., for Smith-Corona Group, Consumer Products Division, SCM Corporation.

J. Paul McGrath, Assistant Attorney General (David M. Cohen, Director, Commercial Litigation Branch, Velta A. Melnbencis, Esq., and Francis J. Sailer, Esq.) for the defendant.

BERNARD NEWMAN, Judge: Cross-motions by the parties for summary judgment in this consolidated case culminated in my decision of April 30, 1982 which upheld certain adjustments to foreign market values allowed by the International Trade Administration, United States Department of Commerce in its Early Determination of Antidumping Duties respecting portable electric typewriters (PETs) from Japan, 3 CIT —, Slip Op. 82-34 (April 30, 1982). That final judgment dissolved a preliminary injunction granted on December 30, 1980 upon the application of plaintiff SCM to suspend the liquidation of entries of Japanese PETs in the amounts specified by Commerce in its Early Determination. See 1 CIT 89, Slip Op. 80-17, 507 F. Supp. 1015 (1980).

Pursuant to Rule 62(c) of the Rules of the Court of International Trade, plaintiff SCM has now requested formally that I restore the dissolved injunction during the pendency of its appeal to the Court of Customs and Patent Appeals from my decision and judgment. Prior to SCM's application and during the interim while awaiting the receipt of briefs from the parties relative to SCM's motion for restoration, I had orally stayed liquidation of the PET entries. Subsequently, a notice of appeal was promptly filed by SCM.

The granting of post judgment injunctive relief is, of course, within the discretion of the Court; and the short of the matter is that in my careful and considered judgment, the equities here call for the granting of SCM's application for injunctive relief.

Accordingly, under all the facts and circumstances, the injunction suspending liquidation of all entries of PETs from Japan on and after January 4, 1980 to May 7, 1980 covered by the Early Determination of Antidumping Duties by the International Trade Administration, United States Department of Commerce, published in the Federal Register on August 13, 1980 (45 FR 53853-56), is restored during the pendency of the appeal to the United States Court of Customs and Patent Appeals—and obviously, subject to the further order of the Court of Customs and Patent Appeals.

(Slip Op. 82-51)

ZENITH RADIO CORPORATION, PLAINTIFF v. UNITED STATES,
DEFENDANT

Court No. 80-5-00861

Before MALETZ, Judge.

(Dated: June 29, 1982)

MEMORANDUM AND ORDER

MALETZ, Judge: This is a motion by the Government to dissolve the preliminary injunction in this case restraining the Government from implementing settlement agreements it entered into with importers of television receivers from Japan. The Government argues that given the decision by the Court of Customs and Patent Appeals in *Montgomery Ward & Co. v. Zenith Radio Corp.*, No. 81-24 (March 11, 1982) (petition for rehearing denied on May 13, 1982), that this court did not have jurisdiction to entertain this action, it is clear that Zenith has no chance of success on the merits of its case and that the public interest weighs heavily in favor of a dissolution of the preliminary injunction.

At the outset, it will be noted that the Court of Customs and Patent Appeals has (over the Government's objection) granted Zenith's motion to stay its mandate in *Montgomery Ward* until July 21, 1982 to afford Zenith time to file a petition for a writ of certiorari to the Supreme Court. Nor is there any doubt that important and novel questions of statutory and administrative law are presented for Supreme Court review. But were the preliminary injunction to be dissolved, the Government would implement the settlement agreements, thus mooted the controversy and preventing the Supreme Court from exercising jurisdiction to decide the questions, should it elect to do so.

The Government, however, suggests that if this court dissolves the preliminary injunction, Zenith could still seek an injunction pending the filing of a petition for certiorari from the Court of Customs and Patent Appeals and if that application is denied, seek an injunction from the Supreme Court. But such a course would be singularly inappropriate. For it would create an emergency situation, which in turn would generate a wasteful and hurried effort by members of the judiciary and the parties—at a time when Zenith has represented that its petition for certiorari is soon to be filed.

The motion to dissolve the preliminary injunction is denied.

International Trade Commission Notices

Investigations by the U.S. International Trade Commission

DEPARTMENT OF THE TREASURY, JULY 14, 1982

The appended notices relating to investigations by the U.S. International Trade Commission are published for the information of Customs officers and others concerned.

WILLIAM VON RAAB,
Commissioner of Customs.

Investigation No. 731-TA-96 (Preliminary)

NITROCELLULOSE FROM FRANCE

AGENCY: United States International Trade Commission.

ACTION: Institution of preliminary antidumping investigation and scheduling of a conference to be held in connection therewith.

SUMMARY: The U.S. International Trade Commission hereby gives notice of the institution of investigation No. 731-TA-96 (Preliminary) under section 733(a) of the Tariff Act of 1930 (19 U.S.C. 1673b(a)) to determine whether there is a reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports from France of nitrocellulose,¹ provided for in item 445.25 of the Tariff Schedules of the United States, which are allegedly being sold in the United States at less than fair value (LTFV).

EFFECTIVE DATE: July 6, 1982.

FOR FURTHER INFORMATION CONTACT: Bill Schechter, Office of Investigations, U.S. International Trade Commission; telephone 202/523-0300.

SUPPLEMENTARY INFORMATION:

Background.—This investigation is being instituted following receipt of a petition filed by counsel for Hercules Inc., Wilmington,

¹Also known as cellulose nitrate.

Delaware. The Commission must make its determination in this investigation within 45 days after the date of the filing of the petition, or by August 16, 1982 (19 CFR § 207.17). This investigation will be subject to the provisions of part 207 of the Commission's Rules of Practice and Procedure (19 CFR § 207, 44 F.R. 76457 and 47 F.R. 6190), and particularly subpart B thereof. A nonconfidential copy of the petition is available for public inspection during official working hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 701 E Street, NW., Washington, D.C. 20436, telephone (202-523-0448).

Persons wishing to participate in this investigation as parties must file an entry of appearance with the Secretary to the Commission not later than seven (7) days after the publication of this notice in the Federal Register (19 CFR § 201.11). Any entry of appearance filed after this date will be referred to the Chairman, who shall determine whether to accept the late entry for good cause shown by the person desiring to file the notice.

Written submission.—Any person may submit to the Commission on or before July 30, 1982, a written statement of information pertinent to the subject matter of this investigation. A signed original and fourteen copies of such statements must be submitted.

Any business information which a submitter desires the Commission to treat as confidential shall be submitted separately, and each sheet must be clearly marked at the top "Confidential Business Data." Confidential submissions must conform with the requirements of section 201.6 of the Commission's Rules of Practice and Procedure (19 CFR § 201.6). All written submissions, except for confidential business data, will be available for public inspection.

Service of documents.—The Secretary will compile a service list from the entries of appearance filed in this investigation. Any party submitting a document in connection with the investigation shall, in addition to complying with section 201.8 of the Commission's rules (19 CFR § 201.8), serve a copy of each such document on all other parties to the investigation. Such service shall conform with the requirements set forth in section 201.16(b) of the rules (19 CFR § 201.16(b)).

In addition to the foregoing, each document filed with the Commission in the course of this investigation must include a certificate of service setting forth the manner and date of such service. This certificate will be deemed proof of service of the document. Documents not accompanied by a certificate of service will not be accepted by the Secretary.

Conference.—The Director of Operations of the Commission has scheduled a conference in connection with this investigation for 9:30 a.m., on July 27, 1982, at the U.S. International Trade Commission Building, 701 E Street, NW., Washington, D.C. Parties wishing to participate in the conference should contact the supervisory investigator for the investigation, John MacHatton, telephone

202/523-0439, not later than July 23, 1982, to arrange for their appearance. Parties in support of the imposition of antidumping duties will each be collectively allocated one hour within which to make an oral presentation at the conference.

For further information concerning the conduct of this investigation rules and general application, consult the Commission's Rules of Practice and Procedure, part 207, subparts A and B (19 CFR § 207), and part 201, subparts A through E (19 CFR § 201), 47 F.R. 6182, February 10, 1982. Further information concerning the conduct of the conference will be provided by Mr. MacHatton.

This notice is published pursuant to section 207.12 of the Commission's Rules of Practice and Procedure (19 CFR § 207.12).

By order of the Commission.

Issued: July 7, 1982.

KENNETH R. MASON,
Secretary.

Investigation No. 701-TA-182 (Preliminary)

CERTAIN IMPORTED UNFINISHED SUBWAY CARS AND PARTS THEREOF
TO BE DELIVERED TO THE METROPOLITAN TRANSPORTATION AUTHORITY OF NEW YORK CITY

AGENCY: United States International Trade Commission.

ACTION: Institution of preliminary countervailing duty investigation and scheduling of a public conference to be held in connection with the investigation.

SUMMARY: The U.S. International Trade Commission hereby gives notice of the institution of an investigation to determine whether there is a reasonable indication that an industry in the United States is materially injured, or threatened with material injury, or the establishment of an industry in the United States is materially retarded, by reason of imports of unfinished subway cars and parts thereof, to be delivered to the Metropolitan Transportation Authority of New York City, the purchase of which is alleged to be financed by the Export Development Corporation of Canada.

In making its determination for purposes of this preliminary investigation the Commission will examine information on unfinished rail vehicles and parts thereof provided for in part 6A of schedule 6 of the Tariff Schedules of the United States (TSUS).

EFFECTIVE DATE: June 24, 1982.

FOR FURTHER INFORMATION CONTACT: Mr. Larry Reavis, Office of Investigations, U.S. International Trade Commission; telephone 202-523-0296.

SUPPLEMENTARY INFORMATION:

Background.—This investigation is being instituted in response to a petition filed June 24, 1982, on behalf of the Budd Company of Troy, Michigan. A copy of this petition is available for public inspection in the Office of the Secretary, U.S. International Trade Commission Building, 701 E Street NW., Washington, D.C. The Commission must make its determination in this investigation within 45 days after the date of the filing of the petition or by August 9, 1982 (19 CFR 207.17). Persons wishing to participate in this investigation as parties must file an entry of appearance with the Secretary to the Commission not later than seven (7) days after the publication of this notice in the Federal Register (19 CFR § 201.11). Any entry of appearance filed after this date will be referred to the Chairman, who shall determine whether to accept the late entry for good cause shown by the person desiring to file the notice. This investigation will be subject to the provisions of Part 207 of the Commission's Rules of Practice and Procedure (19 CFR Part 207, 47 F.R. 6190, February 10, 1982), particularly Subpart B thereof.

Service of documents.—The Secretary will compile a service list from the entries of appearance filed in this investigation. Any party submitting a document in connection with the investigation shall, in addition to complying with section 201.8 of the Commission's rules (19 CFR § 201.8), serve a copy of each such document on all other parties to the investigation. Such service shall conform with the requirements set forth in section 201.16(b) of the rules (19 CFR § 201.16(b)).

In addition to the foregoing, each document filed with the Commission in the course of this investigation must include a certificate of service setting forth the manner and date of such service. This certificate will be deemed proof of service of the document. Documents not accompanied by a certificate of service will not be accepted by the Secretary.

Written submissions.—Any person may submit to the Commission on or before July 23, 1982, a written statement of information pertinent to the subject matter of this investigation. A signed original and fourteen (14) copies of such statements must be submitted.

Any business information which a submitter desires the Commission to treat as confidential shall be submitted separately, and each sheet must be clearly marked at the top "Confidential Business Data." Confidential submissions must conform with the requirements of § 201.6 of the Commission's Rules of Practice and Procedure (19 CFR § 201.6). All written submissions, except for confidential business data, will be available for public inspection.

Conference.—The Director of Operations of the Commission has scheduled a conference in connection with this investigation for 9:30 a.m., on July 21, 1982, at the U.S. International Trade Commission Building, 701 E Street NW., Washington, D.C. Parties wish-

ing to participate in the conference should contact the supervisory investigator for the investigation, Ms. Vera Libeau, telephone 202/523-0368, not later than July 16, 1982, to arrange for their appearance. Parties in support of the imposition of countervailing duties in this investigation and parties in opposition to the imposition of such duties will each be collectively allocated one hour within which to make an oral presentation at the conference.

For further information concerning the conduct of this investigation and rules of general application, consult the Commission's Rules of Practice and Procedure, part 207, subparts A and B (19 CFR Part 207), and part 201, subparts A through E (19 CFR Part 201), 47 F.R. 6182, February 10, 1982. Further information concerning the conduct of the conference will be provided by Ms. Libeau.

This notice is published pursuant to section 207.12 of the Commission's Rules of Practice and Procedure (19 CFR § 207.12)

Issued: July 6, 1982.

KENNETH R. MASON,
Secretary.

In the Matter of
CERTAIN VACUUM CLEANER
BRUSH ROLLERS

Investigation No. 337-TA-111

*Notice of Settlement Agreement, Recommended Termination of
Party, and Request for Public Comments*

AGENCY: U.S. International Trade Commission.

ACTION: Request for public comments on the recommended termination of respondent Hornleon Co., Ltd. (Hornleon), based on a settlement agreement.

SUMMARY: notice is hereby given that the presiding officer in this investigation has recommended that the Commission grant the motion of complainant Scott & Fetzer Co. to terminate this investigation as to respondent Hornleon on the basis of a settlement agreement. Before taking final action on the motion, the Commission seeks written comments on the proposed termination from interested members of the public.

DEADLINE: All comments must be received within thirty (30) days of publication of this notice.

SUPPLEMENTARY INFORMATION: The Commission is conducting investigation No. 337-TA-111 to determine whether there is a violation of section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) in the importation or sale of certain vacuum cleaner brush rollers, which are alleged to infringe claims 1 and 2 of U.S. Letters Patent 3,367,728.

On June 1, 1982, complainant Scott & Fetzer Co. filed a motion seeking termination of respondent Horneon based on a settlement agreement. There is also pending before the Commission a motion to terminate the other respondent in this investigation, Vacuum Parts Unlimited, Inc. (Vacuum Parts), on the basis of a settlement agreement. See 47 F.R. 27150 (June 23, 1982). The granting of both motions would terminate the investigation as Vacuum Parts and Hornleon are the only respondents.

The presiding officer has recommended that respondent Horneon be terminated as a respondent on the basis of a settlement agreement.

Under the settlement agreement, Horneon warrants that it has ceased to export brush rollers to the United States. Furthermore, it agrees not to infringe U.S. Letters Patent 3,367,728, owned by Scott & Fetzer, in the future. In return, Scott & Fetzer has agreed not to institute proceedings in any other forum against Horneon in connection with that firm's previous exportations of infringing brush rollers and has waived all rights against Horneon with respect to any alleged infringement of U.S. Letters patent 3,367,728.

All comments must conform to the requirements of section 201.8 of the Commission's rules (19 C.F.R. § 210.8) and must be addressed to the Secretary, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436.

FOR FURTHER INFORMATION CONTACT: Lairold M. Street, Esq., Office of the General Counsel, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436, telephone 202-523-0124.

By order of the Commission.

Issued: July 6, 1982.

KENNETH R. MASON,
Secretary.

In the Matter of
CERTAIN CARD DATA IMPRINTERS }
AND COMPONENTS THEREOF } Investigation No. 337-TA-104

Notice of Grant of Stipulated Motion of all Parties for Continued Suspension of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Grant of motion for continued suspension of investigation.

SUMMARY: Notice is hereby given that the Commission has granted a stipulated motion by complainants AM International, Inc., and Bartizan Corp., respondents National Business Systems Inc. (Canada), and National Business Systems, Inc. (U.S.), and the

Commission investigative attorney that the Commission continue its suspension of this investigation (Motion 104-189C).

AUTHORITY: The authority for the Commission's action is contained in section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) and section 210.15 of the Commission's Rules of Practice and Procedure (19 CFR § 210.15).

SUPPLEMENTARY INFORMATION: Upon receipt of a complaint filed by AM International, Inc., and Bartizan Corporation the Commission instituted investigation No. 337-TA-104 to determine whether there is a violation of section 337 of the Tariff Act of 1930 by reason of unfair methods of competition and unfair acts in the importation and sale of certain card data imprinters, alleged to infringe claim 7 of U.S. Letters Patent 3,272,120 and claim 12 of U.S. Letters Patent 3,340,800. Notice of the Commission's investigation was published at 46 F.R. 31094 (June 12, 1981).

On February 9, 1982, the Commission granted a motion by respondents National Business Systems, Inc. (Canada) and National Business Systems, Inc. (U.S.), for a limited suspension of the investigation until 10 days after completion of trial in United States district court litigation involving the patents that are at issue in this investigation. The present action of the Commission continues the suspension in effect until 10 days after the court rules on the matters at issue in the trial before it.

FOR FURTHER INFORMATION CONTACT: Michael P. Mabile, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202-523-0189.

By order of the Commission.

Issued: July 2, 1982.

KENNETH R. MASON,
Secretary.

In the Matter of
CERTAIN MINIATURE, BATTERY-
OPERATED, ALL-TERRAIN,
WHEELED VEHICLES

} Investigation No. 337-TA-122

Notice of Termination of Respondent

AGENCY: U.S. International Trade Commission.

ACTION: Termination of investigation as to respondent Larco, Inc.

SUMMARY: The Commission has terminated the above-captioned investigation as to respondent Larco, Inc., on the basis of an oral motion made by complainants at the preliminary conference. Respondents and the Commission investigative attorney do not oppose the motion.

SUPPLEMENTARY INFORMATION: This investigation is being conducted under section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, and concerns alleged unfair trade practices in the importation into and sale in the United States of certain miniature, battery-operated, all-terrain, wheeled vehicles allegedly infringing U.S. Letters Patent 4,306,375 and copying of complainant's vehicles resulting in false designation of source. The motion to terminate the investigation with respect to Larco, Inc., included information that Larco is a trade name used to identify certain products of respondent Pensick & Gordon Company. In addition, the Larco, Inc., named by complainants, identified Pensick & Gordon Co. as users of the trade name Larco.

Copies of the Commission's action and order and all other non-confidential documents filed in connection with this investigation are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436, telephone 202-523-0161.

FOR FURTHER INFORMATION CONTACT: Catherine Field, Esq., Office of the General Counsel, telephone (202) 523-0143.

By order of the Commission.

Issued: July 2, 1982.

KENNETH R. MASON,
Secretary.

In the Matter of
CERTAIN COIN-OPERATED
AUDIOVISUAL GAMES AND
COMPONENTS THEREOF (VIZ,
PAC-MAN AND RALLY-X) } Investigation No. 337-TA-105

Notice of Issuance of Exclusion Order

AGENCY: U.S. International Trade Commission.

ACTION: Issuance of general exclusion order.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation to determine whether there is a violation of section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) in connection with the importation or sale of certain coin-operated audiovisual games and components thereof, and published notice of its investigation in the Federal Register of July 1, 1981 (46 F.R. 34436).

On June 22, 1982, the Commission unanimously determined that there is a violation of section 337 in the unauthorized importation and sale of certain coin-operated audiovisual games which infringe complainant Midway Manufacturing Co.'s PAC-Man copyright and trademark. The Commission further determined that the appropri-

ate remedy is an order excluding from entry into the United States coin-operated audiovisual games which infringe complainant's PAC-Man copyright and/or trademark, except where such importation is licensed by the owner of the property right in question.

Copies of the Commission's Action and Order, the Opinion of the Commission, and all other non-confidential documents on the record of this investigation are available for inspection by the public during official working hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436, telephone 202-523-0161.

FOR FURTHER INFORMATION CONTACT: N. Tim Yaworski, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202-523-0311.

By order of the Commission.

Issued: July 1, 1982.

KENNETH R. MASON,
Secretary.

Investigation No. 701-TA-145 (Final)

CERTAIN STEEL WIRE NAILS FROM KOREA

AGENCY: United States International Trade Commission.

ACTION: Institution of a final countervailing duty investigation.

SUMMARY: As a result of the affirmative preliminary determination, by the International Trade Administration, United States Department of Commerce, which the Commission received on June 22, 1982, that there is a reasonable basis to believe or suspect that benefits are granted by the Government of Korea with respect to the manufacture, production, or exportation of certain steel wire nails which constitute a subsidy within the meaning of the countervailing duty law, the United States International Trade Commission (hereafter "the Commission") hereby gives notice of the institution of investigation No. 701-TA-145 (Final) to determine whether an industry in the United States is materially injured, or is threatened with material injury or the establishment of an industry is materially retarded by reason of imports of such merchandise. For purposes of this investigation, the term "steel wire nails" refers to nails of one-piece construction which are made of round steel wire and which enter the United States under item numbers 646.25 and 646.26 of the TSUS.¹

EFFECTIVE DATE: June 30, 1982.

¹ For purpose of this investigation, brads, spikes, staples and tacks are not included.

FOR FURTHER INFORMATION CONTACT: Judith O. Zeck,
Office of Investigations, U.S. International Trade Commission,
(202-523-0339).

SUPPLEMENTARY INFORMATION: On February 23, 1982, the Commission unanimously determined, on the basis of the information developed during the course of investigation No. 701-TA-145 (Preliminary), that there was a reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, by reason of imports from Korea of steel wire nails upon which bounties or grants are allegedly being paid. As a result of the Commission's affirmative preliminary determination, the Department of Commerce continued its investigation into the question of subsidized imports. The final subsidy determination will be made by the Department of Commerce on or before September 1, 1982.

WRITTEN SUBMISSIONS: Any person may submit to the Commission a written statement of information pertinent to the subject of the investigation. A signed original and fourteen (14) true copies of each submission must be filed at the Office of the Secretary, U.S. International Trade Commission Building, 701 E Street, NW, Washington, D.C. 20436, on or before September 7, 1982. All written submissions except for confidential business data will be available for public inspection.

Any business information for which confidential treatment is desired shall be submitted separately. The envelope and all pages of such submissions must be clearly labeled "Confidential Business Information". Confidential submissions and requests for confidential treatment must conform with the requirements of section 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6).

A staff report containing preliminary findings of facts will be available to all interested parties on August 26, 1982.

Service of documents.—Any interested person may appear in these investigations as a party, either in person or by representative, by filing an entry of appearance with the Secretary in accordance with section 201.11 of the Commission's rules (19 CFR 201.11). Each entry of appearance must be filed with the Secretary no later than 21 days after the publication of this notice in the Federal Register.

The Secretary will compile a service list from the entries of appearance filed in these final investigations and from the Commission's record in the preliminary investigations. Any party submitting a document in connection with these investigations shall, in addition to complying with section 201.8 of the Commission's rules (19 CFR 201.8), serve a copy of each such document on all other parties to the investigations. Such service shall conform with the requirements set forth in section 201.16(b) of the rules (19 CFR 201.16(b)).

In addition to the foregoing, each document filed with the Commission in the course of these investigations must include a certificate of service setting forth the manner and date of such service. The certificate will be deemed proof of service of the document. Documents not accompanied by a certificate of service will not be accepted by the Secretary.

PUBLIC HEARING: The Commission will hold a public hearing in connection with this investigation at 10:00 a.m. on September 14, 1982, in the Hearing Room of the U.S. International Trade Commission Building. Request to appear at the hearing should be filed in writing with the Secretary to the Commission not later than the close of business (5:15 p.m.) on August 24, 1982. All persons desiring to appear at the hearing and make oral presentations must file prehearing statements and should attend a prehearing conference to be held at 9:30 a.m., on August 26, 1982.

Testimony at the public hearing is governed by section 207.23 of the Commission's Rules of Practice and Procedure (19 CFR 207.23). This rule requires that testimony be limited to a nonconfidential summary and analysis of material contained in prehearing statements and to new information. All legal arguments, economic analysis, and factual materials relevant to the public hearing should be included in prehearing statements in accordance with section 207.22. Post hearing briefs will also be accepted within a time specified at the hearing.

For further information concerning the conduct of the investigation, hearing procedures, and rules of general application, consult the Commission's Rules of Practice and Procedure, part 207, subparts A and C (19 CFR 207, 44 F.R. 76457 as amended in 47 F.R. 6190 and 47 F.R. 12792) and part 201, subparts A through E (19 CFR 201).

This notice is published pursuant to section 207.20 of the Commission's Rules of Practice and Procedure (19 CFR 207.20).

By order of the Commission.

Issued: June 30, 1982.

KENNETH R. MASON,
Secretary.

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